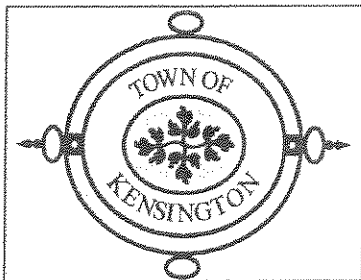


NOVEMBER 2009



# THE TOWN OF KENSINGTON'S **AROUND TOWN JOURNAL**

3710 Mitchell Street, Kensington, Maryland \* 301-949-2424 \* Fax: 301-949-4925 \* WWW.TOK.MD.GOV

## **UPCOMING EVENTS & MEETINGS**

**M-NCCPC Fred Boyd  
Office Hours**  
Wed., Nov. 18th 6:30~8:30

**Town Council Meeting**  
Mon., Nov. 23rd 7pm

**Town Offices Closed**  
Thurs & Fri., 11/26, 27

**Town Council Meeting**  
Mon., Dec. 7th 7pm

**Historic District  
Expansion Meeting**  
Wed., Dec. 9th 7pm

**Annual Tree Lighting  
Holiday Party**  
Sun., Dec. 13th 5pm

## **Annual Holiday Tree Lighting**

Sunday, Dec. 13  
5:00 pm.

Please join us for  
warm cider, cookies &  
entertainment by  
the Kensington Arts  
Theatre.



## **Leaf Pick Up Continues:**

The second round of leaf collection will begin November 16th. Please have leaves ready prior to Monday of your respective starting dates. Monday brush collections will stop through leaf collection season; then resume December 21, 2009.

**North Side: Monday, November 16th** – north of the railroad tracks and east of Connecticut.

**South Side: Monday, November 23rd** - south of the railroad tracks and east of Connecticut.

**West Side: Monday, November 30th** - west of Connecticut. *(Information continued on Page 7)*

**ATTENTION:** With the Town's continuing efforts to go Green, beginning in February 2010 the Journal will no longer be delivered to your door step. The Journal will be sent out on the list serve. If you are not signed up for the list serve, please sign up by accessing our webpage: [www.tok.md.gov](http://www.tok.md.gov). If you do not have access to a computer and want to receive the Journal, please send us written notification to have the Journal sent to your home.

## Notes from the Mayor Fosselman



**Konterra/Metropolitan Avenue Parking Lot:** Settlement between the County, Konterra and the Town is still scheduled for December 16th. Town hopes to start construction in the spring.

**Safeway:** Safeway representatives have been working with the Town and many of the issues have been resolved. Trucks are pulling in forward per the engineered plan and no longer backing into the Armory Avenue garage (trucks were ruining Town sidewalk and destroyed a lamp post). The roof is being redesigned to allow screening of the HVAC equipment visible from Connecticut Avenue. Dead landscaping continues to be replaced. Thanks to Council Member Barch for coordinating with Safeway.

**Kensington Parkway/Montgomery Avenue Intersection Redesign:** The Traffic Committee met twice in October and recommended a design that not only addresses the safety issues (running of stop signs, pedestrian access) of the intersection, but the aesthetics as well. The Council approved the design at their November 9<sup>th</sup> Town Meeting. The construction will not take place until there is adequate funding. The new **speed cameras** on Connecticut Avenue are one possible source of income. Thanks to Council Member Thompson for chaperoning the Traffic Committee meetings.

**Farmer's Market Expansion:** The Town still plans to expand Saturday's market by expanding into the southeast side of the Train Station lot. We are finalizing permission from CSX and hope to move forward shortly. New vendors are being recruited, new signage will be erected for parking notice, and devices to close off the lot will be installed. Council Member Donatelli is working on the Artists' Alley, where during the warmer

months, artists will have their works on display. If you know of talent for the alley or new vendors for the market, please contact Shirley Watson at [shirley.watson@tok.md.gov](mailto:shirley.watson@tok.md.gov) or 301-949-2424.

**Town Street Signs:** The new street signs are almost complete. The Council chose to financially phase the signs in and the last group is being installed. Special thanks for Council Member Donatelli and Town Manager Daily.

**Historic District Expansion Committee:** The Committee met again on November 4<sup>th</sup> to continue exploring the growth of the District. Goals include establishing the consistency of the national and local districts, an outreach program, and tax incentives for homeowners. Thanks to Council Member McMullen and Delegate Carr for spearheading this effort.

**Master-Sector Plan:** The plan was approved by the Planning Board in October and moves onto the County Council in January 2010. The latest version of the plan was published at the end of October and is available online at [montgomeryplanning.org/community/kensington/index.shtml](http://montgomeryplanning.org/community/kensington/index.shtml). Those not having internet access may request a copy at the Town Hall at 301-949-2424.

**State Legislation:** The Town Council has been requested to support a bill allowing Off-Sale Beer & Wine Licenses in selected areas of Kensington. The topic was discussed at the October 26<sup>th</sup> and November 9<sup>th</sup> Meetings. The Council decided take the topic to referendum at our next Town election in June 2010.

**Utility Work throughout Town:** The work on the **north side**, running along Plyers Mill Road and Lexington Street, are from **AT&T** laying new cable lines. The Staff is aware of the minor dam-

age as well as the excessive spray paint markings. A letter has been sent to AT&T contractors and the Town will hold their bonds until the clean-up is complete. The repairs to the sewer and water lines by WSSC were started without prior notice to the Town. Staff has since met with WSSC representatives and letter has been sent noting the damage to the streets, sidewalks, private driveways, and expectations of tree replacement.

**Crime and Safety:** At November 9<sup>th</sup> Council Meeting, Lt. Robert McCullagh, of the Montgomery County Police Department, addressed the Town with incident updates and safety tips. Two factors play into the perceived rise in crime: the internet allowing us to communicate with detail; opportunities to initiate a crime fostered by Residents—most of the car break-ins are due to GPSs, iPods, and laptops being left in plain sight, as well as many vehicles are left unlocked! Remove electronic equipment from your cars, lock them up, lock your home doors, and report all crimes to the police.

**Reinhardt Park:** The Council and I appreciate the emails, calls, and in-person support. Bogus information has been fed to the media and the Town has taken the high road. Kudos to those who have done their homework and understand the history. In response to many of your questions, following these updates is a detailed report on the issue with Reinhardt Park.

**Enjoy a hearty and happy Thanksgiving!**

**Peter Fosselman**

### REINHARDT PARK UPDATE

Kensington officials have once again reached out to the Brookewood School to set conditions on the school's use of the Town's Reinhardt Park. The park, which is intended for use by limited groups and not large groups, several times a

day, has become a flashpoint between the school – which has no outdoor play space of its own – and local families whose children have avoided the park when the older Brookewood students are using it. The complaints rendered over the last two years include lack of adult supervision, standing in kiddy swings (designed for 5 yrs and younger at \$100 each), climbing trees and breaking branches, littering, using Town's pet waste bags for amusement, standing on picnic tables, failure to use crosswalks and darting in-between parked cars on Armory Avenue, and overcrowding. The majority of Kensington's maintenance fees for the park come from Town taxes, which only Town Residents and Businesses pay, above and beyond County and State taxes. Brookewood does not pay this fee, nor do the parents of the students – most of whom do not live in the Town of Kensington.

The Kensington Town Council passed a resolution in September restricting the park's use to young children. Brookewood's headmaster balked at that restriction, saying the school did not have its own play area and could not afford to pay a \$4,000 annual maintenance fee. The Town had received complaints that swings and play equipment were damaged and low-hanging tree limbs were broken; as well as trash was left behind and Brookewood students were without adult supervision.

After initiating meetings with Brookewood officials, Kensington offered to allow Brookewood students to use the Town playground for recess, in return for an annual maintenance fee the Town would reduce to \$2,000. No more than 20 students would be allowed to use the park at the same time. Brookewood countered that it would rather handle breakage and maintenance itself, but the Town's Attorney said liability issues would not permit that such action, nor is it realistic to have young children caring for a park.

Brookewood's board met on November 4 and decided to reject the Town's offer. In the meantime, Brookewood's headmaster continues a media blitz and says his students will use Warner Circle, a County-owned facility, for its play

Area; and teachers will finally monitor the students' conduct. Similar complaints have already been filed with the Town and County from Residents who live near the Circle.

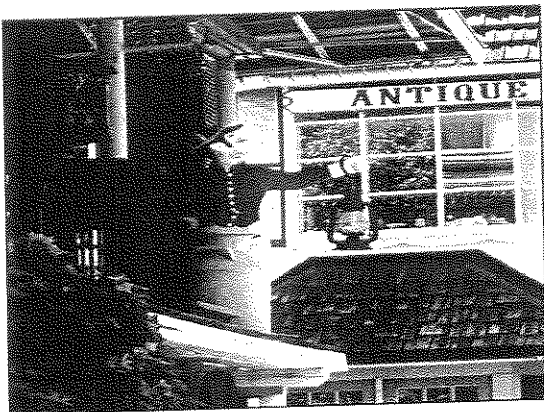
The Mayor and Council, which noted that according to State officials, many nonprofit or private schools enter into agreements governing the use of public spaces, including the current Plyers Mill Montessori School.

### **A Day in the Life to Announce Winners!**

The Town of Kensington & the Montgomery County Planning Dept. has narrowed the field of photos down to 12 finalists. Judges reviewed 75 wonderful photos from Town residents and have picked the best of the best from the collection. Mayor Fosselman will announce winners during the Town's Annual Tree Lighting Ceremony on Sunday, December 13th at 5pm.

The Town would like to thank Valerie Berton and her colleagues at the Planning Department for this event, along with Robin Watson and Ronald Riley for helping to judge the contest photos. We would also like to thank the many sponsors who donated prizes to our winners.

The Town will display the winning photos along with prizes awarded to winners during the Annual Tree Lighting ceremony.



## **Town Meeting Minutes**

**October 12, 2009**

**Town Meeting, 7:05 p.m.**

Mayor Fosselman, Council Members Barch,

Donatelli, McMullen, Thompson, Town Manager Sanford Daily, Assistant to the Town Manager Matt Hoffman, and Town Attorney Suellen Ferguson were present. Clerk-Treasurer Susan Engels was necessarily absent. The Pledge of Allegiance was recited, a moment of silence observed.

The Mayor reported he attended the Hearing on the Sector Plan, which was approved by the Planning Board; he thanked Town staff and Park and Planning Staff for the long two year process of getting it through the Planning Board; attended an event for Attorney General Doug Gansler, who has been very supportive of the Town's legislative efforts; held an event along with Council Members Barch and Donatelli for County Council Member Valerie Ervin; had lunch with the County Council President; attended the West Howard Avenue Revitalization Meeting hosted by the Town; held the third and last Listening Tour, which was very successful with both residents and business owners in attendance; and attended Council Member Thompson's Traffic Committee Meeting.

Council Member McMullen along with the Town Manager will be attending the Council of Governments Street Light Forum and will be working on expanding the recycling program.

Council Member Donatelli reported she's working on having the old Howard Avenue entrance signs hand painted for the Farmers' Market.

Council Member Thompson reported on the Traffic Committee Meeting he held. He presented a modest cost effective design to improve the intersection which would include two crosswalks and increased green space. A Resident commented the improvement wasn't needed.

The Traffic Committee will meet again on Oct 15 to prioritize streets that need improvement. Also, a project will be undertaken to locate and photograph placement of existing traffic signs and regulations to consolidated into one document.

Council Member Barch reported he is working with Delegate Carr's office to change the Montgomery County liquor law to enable local wineries and retailers to sell wine at the Farmers'

Market; he is working with the urban design team at Park and Planning along with looking at other geographic areas to establish comprehensive urban design guidelines; and working with Park and Planning and Residents on plans for the Kensington Cabin. A Resident suggested beer also be considered for sale at Farmers' Market.

The owner from Old Town Market requested the Council consider supporting a legislative proposal to allow carry-out beer and wine at his store. This will be put on the upcoming agenda for consideration. The Mayor reminded the business owner that signatures on any petitions must be from Town Residents; and their location was adjacent to a neighborhood.

A Resident noted the intersection at Fawcett and Carroll was dangerous and should be evaluated.

The Town Manager noted the three low bidders on the Frederick Avenue resurfacing project would extend their prices for six months until the Town's revenues are evaluated.

Annexation of the Kaiser property, 10810 Connecticut Avenue was discussed. The Town Manager noted recent legislation was passed to allow special provisions for annexation of property partially in the corporate limits. The Town Attorney explained the new annexation law, which requires the Town to file an annexation plan, and suggested a later date for the Hearing. See Council Actions.

Council Member McMullen noted the Town would receive additional tax from the annexation and there were no associated disadvantages.

Council Member Barch suggested exploring the cost of illuminating Gateway Signs into Town.

### **Council Actions**

Council Member Thompson moved to approve the minutes from September 14, 2009. The motion passed unanimously.

Council Member Barch moved to approve the minutes from September 29, 2009. The motion passed unanimously.

Council Member McMullen moved to introduce Annexation Resolution No A-2009-01 to authorize the annexation of the property at 10810 Connecticut Avenue as described with a Public Hearing scheduled for December 14, 2009. The motion passed unanimously.

Council Member Donatelli moved to adjourn the meeting at 7:55 p.m. Motion passed unanimously.

**October 26, 2009**

### **Town Meeting, 7:05 p.m.**

Mayor Fosselman, Council Members Barch, Donatelli, McMullen, and Thompson, Town Manager Sanford Daily, Assistant to the Town Manager Matt Hoffman and Clerk-Treasurer Susan Engels were present. The Pledge of Allegiance was recited and a Moment of Silence observed.

The Mayor reported he attended the Traffic Committee Meeting; Breakfast for County Council Member Roger Berliner; spoke at Delegate Carr's fundraiser, who was instrumental in helping the Town receive the Safe Schools Grant; met with representatives from the Brookewood School; attended the County Executive's Annual Arts Awards; met with representatives from HOC regarding onsite improvements; attended the Smart Growth initiative meeting and worked on the Task Force; attended the Fall MML Convention, moderated a session on legal issues along with the Town Attorney, and spoke on storm water management issues; met with Valerie Berton from Park and Planning on the Photo Contest, awards will be presented to the winners at the Annual Tree Lighting on Dec 13<sup>th</sup> at 5 p.m.

Council Member McMullen reported he, along with the Town Manager, attended the Council of Governments Street Light Forum on LED lighting which stressed LED benefits of energy conservation and reduced green house gases; a suggestion was made to install a few LED lights in Town on a trial basis.

Council Member Donatelli reported she is continuing work on having the old Howard Ave. entrance signs redone for the Farmers' Market.



Council Member Thompson reported the Traffic Committee met twice in October; he will be working on consolidating street signs and traffic restrictions into one document along with investigating use of the County's GIS technology for cataloging the signs; a courtesy presentation will be made to HPC on the proposed improvements to the intersection at Kensington Parkway and Montgomery Avenue; streets in need of repair will be prioritized; noted the Traffic Committee declined a request from a citizen, who received a ticket, to reevaluate current restrictions at Wheatley and St. Paul Street; and information will be provided in the next newsletter on guidelines for the use of fire pits in backyards.

Council Member Barch reported he attended the Traffic Committee; attended classes at MML's Fall Convention; is working with Park and Planning on drafting Urban Design Guidelines and also working with them to allow a group of three to five residents with the appropriate professional backgrounds to review all plans for design elements; and will be meeting with Park and Planning on a conceptual design for Kensington Cabin which they will present to the Town.

A discussion was held on supporting State Legislation to allow off-sale beer & wine licenses in selected areas in the Town. Rob Cooper, who owns Old Town Market, explained his request to sell beer and wine at his store and answered questions. He noted plans for future store improvements, that only 25 to 30% of the space including storage would be devoted to beer and wine. He was willing to work with the Town on any restrictions or requirements for the license.

Residents spoke both in favor and against the sale of carry out beer and wine. Concerns were expressed on the amount of space in the store devoted to beer and wine, loitering, legislation being personalized for one particular business or owner; and future owners of the store. A Resident suggested a referendum be held on this. The Council noted more information was needed from the County on how the legislation could be drafted to address the concerns and more detail

was needed on the owner's request. The discussion will be continued at the next meeting.

Town Meeting, Nov 9<sup>th</sup>, and the Town will see if a representative from Montgomery Co. Department of Liquor Control can be present to answer questions and concerns regarding beer, wine licenses.

The Mayor noted at the next Town Meeting, the design for the intersection at Kensington Parkway and Montgomery Avenue will be discussed and the County Police will discuss safety issues in Town.

Residents noted recent crime incidents and stressed the importance of locking car and home doors along with the importance of reporting incidents to the police.

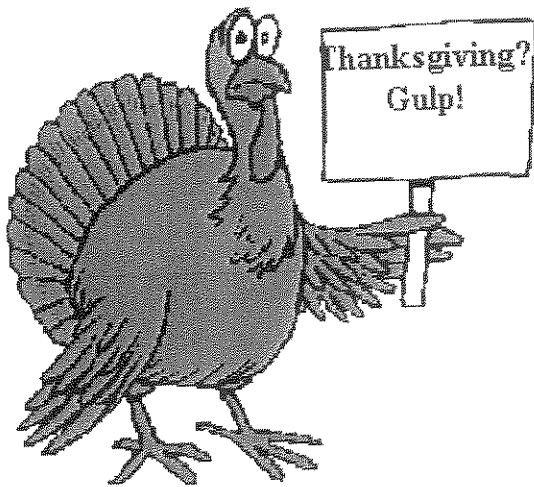
A Resident inquired whether the police could concentrate patrols on crime instead of traffic incidents. Mayor noted this depends on whether the majority of other residents want this.

A Resident requested information be sent out more timely including the agenda, the minutes and the newsletter; more explanation be given on resolutions; and inquired on the meaning of "emergency legislation". The Mayor explained the delay in getting the last newsletter out; suggested other means of communication such as Coffee with the Mayor, Listening Tours, or email; requested the Town Manager send out a preliminary agenda earlier; and explained the sign ordinance was passed as emergency legislation so the Town would be able to enforce the ordinance immediately.

A resident inquired on the Town's position on the Purple Line. The Mayor stated the Town did not oppose the Purple Line but had requested the state to explore other options besides the Capital Crescent Trail.

### **Council Actions**

Council Member Thompson moved to approve the minutes from October 12, 2009. The motion passed 3 - 0. Council Member Donatelli was not present at the time of the motion. Council Member McMullen moved to adjourn the meeting at 8:25pm. The motion passed unanimously.



### BUILDING PERMITS

PORCH 3811 BALTIMORE  
ALTERATION 10562 METROPOLITAN  
DRIVEWAY 10204 FREDERICK AVE.

### Leaf Pick Up Information Continued...

If you choose to collect your leaves and place them in paper yard waste bags or containers, **(do not place them in plastic bags)** the staff will collect them on Fridays as part of our regular brush collection pickup service.

Avoid raking leaves into the street. Placing leaves in streets or alleys can disrupt traffic water drainage and hamper snow removal operations.

Keep parked vehicles away from leaf piles. Leaves can pose a fire hazard to automobiles parked over them. Cars parked on or in front of leaf piles also block collection trucks' access to leaf piles.

**Include only leaves for vacuum leaf collection.** Tree debris, sticks, branches or coarse garden debris should be placed in containers or tied in bundles not more than 4' long and placed where household trash is regularly picked up.

### Kensington Kid's Corner

#### THANKSGIVING PUZZLE!

Words may be hidden horizontally, vertically, diagonally, forward, or backward.

O	J	J	S	K	N	A	H	T	Z	H	B	C	T	H
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J	S	G	Y	N	C	D	A	S	V	H	A	O	E	W
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#### THANKSGIVING

THANKS  
NOVEMBER  
TURKEY  
FOOD  
FOOTBALL  
FAMILY  
FRIENDS  
PARADE  
FALL  
HARVEST  
PUMPKIN  
GOBBLE  
DINNER  
FEAST  
INDIAN  
PILGRIM



## **Want K-Town Plates?**

The Town of Kensington is in the process of applying to the State's Motor Vehicle Administration for organizational license plates. The Town needs a minimum of 25 applicants before submitting the application. The cost is \$25 per applicant.

If you're interested in representing the Town with our very own vanity plates, please send us a check for \$25 addressed to the MVA and your current license plate number. Any questions can be directed to Matthew Hoffman, Assistant to the Town Manager, at 301.949.2424 or email [mjhoffman@tok.md.gov](mailto:mjhoffman@tok.md.gov).

What a great way to show pride in our beautiful and historic town!

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301-949-2424 FAX: 301-949-4925 [WWW.TOK.MD.GOV](http://WWW.TOK.MD.GOV)

*To Our Kensington Neighbors*